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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2665	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/855,804	ROBERTS ET AL.	
	Examiner	Art Unit	
	Jason E. Mattis	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed on 3/11/05. The previous rejections of claims 26-27 under 35 U.S.C. 112, second paragraph, have been withdrawn due to the amendment. New claim 28 has been added. Claims 1-28 are currently pending in the application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11-15 and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Achuthan et al. (U.S. Application 09/738668).

With respect to claim 11, Achuthan et al. discloses a method of routing an incoming call from a calling party for a telephone of a subscriber **(See page 2 paragraph 17 of Achuthan et al. for reference to routing a call to a subscriber and alerting the subscriber of a call)**. Achuthan et al. also discloses associating a number of the subscriber with priority caller information **(See page 2 paragraph 20 and Figure**

3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID 220 with a source caller ID 222 and with a priority ID field 224). Achuthan et al. further discloses storing the subscriber number and the priority caller information in a database **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to storing the user ID field 220, the source ID field 222, and the priority ID field 224 in a data structure table 210 of memory 122)**. Achuthan et al. also discloses detecting the incoming call **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to detecting an incoming communication, or call, at step 300)**. Achuthan et al. further discloses consulting the database to determine whether the incoming call comprises the priority caller information **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to searching the table 210 for an entry that identifies the source ID field 222 and corresponding priority ID field 224 of the incoming call, at steps 308 and 310)**. Achuthan et al. also discloses executing a priority action if the incoming call comprises the priority caller information **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to if an entry is found in the table 210, generating the specific prompt, which is a priority action, that is specified by the table entry, at step 312)**. Achuthan et al. further discloses that the priority action comprises ringing a telephone associated with the telephone line with a priority alert signal that is different from a regular ringing tone **(See page 2 paragraph 22 of Achuthan et al. for reference to the specific prompt comprising a distinct ringing cadence, which is a ring that is different from a regular ringing tone)**.

With respect to claim 12, Achuthan et al. discloses that the priority caller information is a telephone number associated with a second telephone line that is used to initiate the incoming call **(See page 2 paragraph 20 of Achuthan et al. for reference to the priority information being a source ID, for example a caller ID, which is the telephone number of a telephone line that is used to initiate an incoming call to the subscriber)**.

With respect to claim 13, Achuthan et al. discloses that the priority caller information is a priority code supplied by the calling party **(See page 3 paragraph 25 of Achuthan et al. for reference to the source caller being prompted by a query to supply its identification, which is a priority code supplied by the calling party)**.

With respect to claim 14, Achuthan et al. discloses Achuthan et al. discloses a method of routing an incoming call from a calling party for a telephone of a subscriber **(See page 2 paragraph 17 of Achuthan et al. for reference to routing a call to a subscriber and alerting the subscriber of a call)**. Achuthan et al. also discloses associating a subscriber number with at least one priority caller number **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID, or number, 220 with a source caller ID, or number, 222 and with a priority ID field 224)**. Achuthan et al. further discloses storing the subscriber number and the at least one priority caller number in a database **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to storing the user ID field 220, the source ID field 222, and the priority ID field 224 in a data structure table 210 of memory 122)**.

Achuthan et al. also discloses detecting the incoming call **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to detecting an incoming communication, or call, at step 300)**. Achuthan et al. further discloses consulting the database to determine whether the incoming call comprises the at least one priority caller number **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to searching the table 210 for an entry that identifies the source ID field 222 and corresponding priority ID field 224 of the incoming call at steps, 308 and 310)**. Achuthan et al. also discloses executing a priority action if the incoming call comprises the at least one priority caller number **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to if an entry is found in the table 210, generating the specific prompt, which is a priority action, that is specified by the table entry, at step 312)**.

With respect to claim 15, Achuthan et al. discloses that the priority action comprises playing a priority alert signal to alert the subscriber to the incoming call **(See page 2 paragraph 22 of Achuthan et al. for reference to the specific prompt comprising a distinct ringing cadence, which is a ring that is used to alert the subscriber to the incoming call)**.

With respect to claim 21, Achuthan et al. discloses a method of routing an incoming call from a calling party for a telephone of a subscriber **(See page 2 paragraph 17 of Achuthan et al. for reference to routing a call to a subscriber and alerting the subscriber of a call)**. Achuthan et al. also discloses associating a subscriber number with at least one priority code **(See page 2 paragraph 20 and**

Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID, or number, 220 with a source caller ID, or priority code, 222 and with a priority ID field 224). Achuthan et al. further discloses storing the subscriber number and the at least one priority code in a database **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to storing the user ID field 220, the source ID field 222, and the priority ID field 224 in a data structure table 210 of memory 122)**. Achuthan et al. also soliciting the calling party for a priority code when the incoming call is received **(See page 3 paragraph 25 and Figure 5 of Achuthan et al. for reference to sending back a query data message to a calling party requesting a calling party identification, or priority code, at step 322)**. Achuthan et al. further discloses receiving the priority code from the calling party **(See page 3 paragraph 25 and Figure 5 of Achuthan et al. for reference to determining if a source has provided a calling party identification in response to the query, at steps 306)**. Achuthan et al. also discloses consulting the database to determine whether the priority code matches any of the at least one priority code **(See page 3 paragraph 25 and Figure 5 of Achuthan et al. for reference to determining if an entry corresponding to the supplied calling party identification matches an entry in table 210, at step 308)**. Achuthan et al. further discloses executing a priority action if the priority code matches one of the at least one priority codes **(See page 3 paragraph 25 and Figure 5 of Achuthan et al. for reference to generating a specific prompt, which is a priority action, if it is determined that the supplied calling party identification matches an entry in table 210, at step 312)**.

With respect to claim 22, Achuthan et al. discloses that the priority action comprises playing a priority alert signal to alert the subscriber to the incoming call **(See page 2 paragraph 22 of Achuthan et al. for reference to the specific prompt comprising a distinct ringing cadence, which is a ring that is used to alert the subscriber to the incoming call)**.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. (U.S. Pat. 5206901) in view of Achuthan et al.

With respect to claim 1, Harlow et al. discloses a system for routing an incoming call from a calling party for a telephone line of a subscriber **(See column 3 lines 32-43 and Figure 1 of Harlow et al. for reference to a telecommunication system 100 for routing calls between telephones)**. Harlow et al. also discloses a service switching point associated with the telephone line **(See column 3 lines 44-63 and Figure 1 of Harlow et al. for reference to SSP, or service switching point, 110 being associated with telephone lines of devices 111 and 112)**. Harlow et al. further

discloses a service control point in communication with the service switching point **(See column 4 lines 20-34 and Figure 1 of Harlow et al. for reference to service control point 170 providing a database for use by SSP 110, meaning SCP 170 is in communication with SSP 110)**. Harlow et al. also discloses that when the service switching point detects an incoming call, the service switching point launches a query comprising a subscriber number to the service control point **(See column 4 lines 35-54 and Figure 1 of Harlow et al. for reference to SSP 110 recognizing an incoming call and sending a message, or query, through STP 160 to SCP 170 requesting instructions)**. Harlow et al. does not disclose that the service control point determines whether the calling party is a priority caller. Harlow et al. also does not disclose that the service control point returns a default response to the service switching point if the calling party is not a priority caller. Harlow et al. further does not disclose that the service control point returns a priority response to the service switching point if the calling party is a priority caller.

With respect to claim 2, Harlow et al. does not disclose that the query further comprises priority caller information.

With respect to claim 3, Harlow et al. does not disclose that the priority caller information is a telephone number associated with a second telephone line that is used to initiate the incoming call.

With respect to claim 4, Harlow et al. does not disclose that the priority caller information is a priority code supplied by the calling party.

With respect to claim 5, Harlow et al. does not disclose that the default response comprises an instruction to terminate the call using a regular ringing tone and that the priority response comprises an instruction to terminate the call using a priority alert signal.

With respect to claims 1-5, Achuthan et al., in the field of communications, discloses a device that acts as a service control point as a part of a telecommunication network **(See page 2 paragraph 17 and Figure 1 of Achuthan et al. for reference to prompter 106, which acts as a service control point, that may be integrated into a telephone network 108)**. Achuthan et al. also discloses that the prompter 106 determines whether the calling party is a priority caller **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to using a source ID to search a table 210 to determine if a calling party is a priority caller as identified by the fields of table 210, at step 308)**. Achuthan et al. further discloses returning a default response if the calling party is not a priority caller **(See page 3 paragraph 24 and Figure 4 of Achuthan et al. for reference to, if the priority information cannot be found in the table 210, using a generic prompt, which is a default response, that is specified by the table)**. Achuthan et al. also discloses returning a priority response if the calling party is a priority caller **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to, if the priority information is found in table 210, generating a specific prompt, or priority response, that is specified by the table entry)**. Achuthan et al. further discloses that the information received by the prompter 106 comprises priority caller information **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for**

reference to arriving signals or messages identifying the source of the communication, at step 302, with the source ID being used as priority caller information). Achuthan et al. also discloses that the priority caller information is a telephone number associated with a second telephone line that is used to initiate the incoming call **(See page 2 paragraph 20 of Achuthan et al. for reference to the priority information being a source ID, for example a caller ID, which is the telephone number of a telephone line that is used to initiate an incoming call to the subscriber)**. Achuthan et al. further discloses that the priority caller information is a priority code supplied by the calling party **(See page 3 paragraph 25 of Achuthan et al. for reference to the source caller being prompted by a query to supply its identification, which is a priority code supplied by the calling party)**. Achuthan et al. also discloses that the default response comprises an instruction to terminate the call using a regular ring tone **(See page 3 paragraph 24 of Achuthan et al. for reference to a generic prompt, or default response, carrying no information other than that a communication is arriving, meaning that a regular ring tone is used)**. Achuthan et al. further discloses that the priority response comprises an instruction to terminate the call using a priority alert signal **(See page 2 paragraph 22 of Achuthan et al. for reference to the prompt, or priority response, being a distinct ringing cadence, which is a priority alert signal)**. Identifying callers as priority or non-priority callers has the advantage of providing a subscriber of the service a greater amount of information about an incoming call than a traditional telephone system does by using

personalized alerts **(See page 1 paragraph 8 of Achuthan et al. for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Achuthan et al., to combine identifying callers as priority or non-priority callers, as suggested by Achuthan et al., with the system of Harlow et al., with the motivation being to provide a subscriber of the service a greater amount of information about an incoming call than a traditional telephone system does by using personalized alerts.

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. in view of Achuthan et al. as applied to claims 1-5 above, and further in view of Jones (U.S. Pat. 5475748).

With respect to claim 6, the combination of Harlow et al. and Achuthan et al. does not disclose that the priority response comprises an instruction to initiate an outgoing call to another telephone.

With respect to claim 7, the combination of Harlow et al. and Achuthan et al. does not disclose that the another telephone is a wireless telephone.

With respect to claims 6-7, Jones, in the field of communications, discloses, in response to a priority determination, initiating an outgoing call to multiple telephones **(See column 4 lines 2-26 and column 5 lines 24-48 of Jones for reference to initiating calls to multiple telephones and for reference to using prerecorded caller identifications to assign callers a priority as to which of the multiple**

telephones, if any, that a call should be sent to). Jones also discloses that one of the multiple phones is a wireless phone **(See the abstract of Jones for reference to calling numbers of cellular phones, which are wireless phones)**. Initiating an outgoing calls to multiple telephones associated with a subscriber has the advantage of allowing a subscriber to receive important calls even if the subscriber is not located at the extension that was initially dialed by the caller **(See column 4 lines 2-26 of Jones for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Jones, to combine initiating outgoing calls to multiple telephones associated with a subscriber, as suggested by Jones, with the system of Harlow et al. and Achuthan et al., with the motivation being to allow a subscriber to receive important calls even if the subscriber is not located at the extension that was initially dialed by the caller.

6. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlow et al. in view of Achuthan et al. as applied to claims 1-5 above, and further in view of Archer (U.S. Pat. 6683870).

With respect to claim 8, the combination of Harlow et al. and Achuthan et al. does not disclose establishing a communication session with a computer associated with the subscriber via a computer network.

With respect to claim 9, the combination of Harlow et al. and Achuthan et al. does not disclose that the communication session uses TCP/IP.

With respect to claim 10, the combination of Harlow et al. and Achuthan et al. does not disclose that the communication session is a voice-over-Internet protocol session.

With respect to claims 8-10, Archer, in the field of communications, discloses establishing a connection with a computer associated with a subscriber via a computer network, when a telephone associated with the subscriber is called **(See column 8 line 43 to column 9 line 30 and Figure 2 of Archer for reference to in response to a dialed number establishing an IP connections with a computer 134a associated with the called party over a packet switched network 130)**. Archer also discloses that the communication uses TCP/IP **(See column 8 lines 43-49 of Archer for reference to using TCP/IP)**. Archer further discloses that the communication is a voice-over-Internet protocol session **(See column 3 lines 4-10 of Archer for reference to a user being notified of a call through the user's computer and for reference to the user complete the call using a PC, meaning that the call uses a voice-over-Internet protocol session to receive the call through the Internet)**. Establishing a connection with a computer associated with a subscriber has the advantage of allowing a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone **(See column 3 lines 43-49 of Archer for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Archer, to combine establishing a connection with a computer associated with a subscriber, as suggested by Archer, with

the communication system of Harlow et al. and Achuthan et al., with the motivation being to allow a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone.

7. Claims 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Achuthan et al. in view of Jones.

With respect to claims 16 and 23, Achuthan et al. does not disclose generating at least one outgoing call to one or more telephones associated with the subscriber.

With respect to claims 17 and 24, Achuthan et al. does not disclose that the priority action comprises generating an outgoing call to a wireless telephone associated with the subscriber via a wireless telephone network.

With respect to claims 16-17 and 23-24, Jones, in the field of communications, discloses, in response to a priority determination, initiating an outgoing call to multiple telephones **(See column 4 lines 2-26 and column 5 lines 24-48 of Jones for reference to initiating calls to multiple telephones and for reference to using prerecorded caller identifications to assign callers a priority as to which of the multiple telephones, if any, that a call should be sent to)**. Jones also discloses that one of the multiple phones is a wireless phone **(See the abstract of Jones for reference to calling numbers of cellular phones, which are wireless phones)**. Initiating an outgoing calls to multiple telephones associated with a subscriber has the advantage of allowing a subscriber to receive important calls even if the subscriber is

not located at the extension that was initially dialed by the caller **(See column 4 lines 2-26 of Jones for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Jones, to combine initiating outgoing calls to multiple telephones associated with a subscriber, as suggested by Jones, with the method of Achuthan et al., with the motivation being to allow a subscriber to receive important calls even if the subscriber is not located at the extension that was initially dialed by the caller.

8. Claims 18-20 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Achuthan et al. in view of Archer.

With respect to claims 18 and 25, Achuthan et al. does not disclose establishing a communication session with a computer associated with the subscriber via a computer network.

With respect to claims 19 and 26, Achuthan et al. does not disclose that the communication session uses TCP/IP.

With respect to claims 20 and 27, Achuthan et al. does not disclose that the communication session uses voice-over-Internet protocol.

With respect to claims 18-20 and 25-27, Archer, in the field of communications, discloses establishing a connection with a computer associated with a subscriber via a computer network, when a telephone associated with the subscriber is called **(See column 8 line 43 to column 9 line 30 and Figure 2 of Archer for reference to in**

response to a dialed number establishing an IP connections with a computer 134a associated with the called party over a packet switched network 130). Archer also discloses that the communication uses TCP/IP **(See column 8 lines 43-49 of Archer for reference to using TCP/IP)**. Archer further discloses that the communication is a voice-over-Internet protocol session **(See column 3 lines 4-10 of Archer for reference to a user being notified of a call through the user's computer and for reference to the user complete the call using a PC, meaning that the call uses a voice-over-Internet protocol session to receive the call through the Internet)**. Establishing a connection with a computer associated with a subscriber has the advantage of allowing a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone **(See column 3 lines 43-49 of Archer for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Archer, to combine establishing a connection with a computer associated with a subscriber, as suggested by Archer, with the communication method of Achuthan et al., with the motivation being to allow a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone.

9. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Achuthan et al. in view of Jones and in further view of Archer.

With respect to claim 28, Achuthan et al. discloses a method comprising associating a subscriber number of the subscriber with priority caller information **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID 220 with a source caller ID 222 and with a priority ID field 224)**. Achuthan et al. further discloses storing the subscriber number and the priority caller information in a database **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to storing the user ID field 220, the source ID field 222, and the priority ID field 224 in a data structure table 210 of memory 122)**. Achuthan et al. also discloses detecting the incoming call to a telephone line of a subscriber **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to detecting an incoming communication, or call, at step 300)**. Achuthan et al. further discloses consulting the database to determine whether the incoming call comprises the priority caller information **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to searching the table 210 for an entry that identifies the source ID field 222 and corresponding priority ID field 224 of the incoming call, at steps 308 and 310)**. Achuthan et al. also discloses executing a priority action if the incoming call comprises the priority caller information **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to if an entry is found in the table 210, generating the specific prompt, which is a priority action, that is specified by the table entry, at step 312)**. Achuthan et al. further discloses that the priority action comprises ringing a telephone associated with the telephone line with a priority alert signal that is different from a

regular ringing tone **(See page 2 paragraph 22 of Achuthan et al. for reference to the specific prompt comprising a distinct ringing cadence, which is a ring that is different from a regular ringing tone)**. Achuthan et al. does not disclose generating at least one outgoing call to another telephone associated with the subscriber. Achuthan et al. also does not disclose that the priority action comprises generating an outgoing call to a wireless telephone associated with the subscriber. Achuthan et al. further does not disclose establishing a communication session with a computer associated with the subscriber.

With respect to claim 28, Jones, in the field of communications, discloses, in response to a priority determination, initiating an outgoing call to multiple telephones **(See column 4 lines 2-26 and column 5 lines 24-48 of Jones for reference to initiating calls to multiple telephones and for reference to using prerecorded caller identifications to assign callers a priority as to which of the multiple telephones, if any, that a call should be sent to)**. Jones also discloses that one of the multiple phones is a wireless phone **(See the abstract of Jones for reference to calling numbers of cellular phones, which are wireless phones)**. Initiating an outgoing calls to multiple telephones associated with a subscriber has the advantage of allowing a subscriber to receive important calls even if the subscriber is not located at the extension that was initially dialed by the caller **(See column 4 lines 2-26 of Jones for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Jones, to combine initiating outgoing calls to

multiple telephones associated with a subscriber, as suggested by Jones, with the method of Achuthan et al., with the motivation being to allow a subscriber to receive important calls even if the subscriber is not located at the extension that was initially dialed by the caller.

With respect to claim 28, Archer, in the field of communications, discloses establishing a connection with a computer associated with a subscriber via a computer network, when a telephone associated with the subscriber is called **(See column 8 line 43 to column 9 line 30 and Figure 2 of Archer for reference to in response to a dialed number establishing an IP connections with a computer 134a associated with the called party over a packet switched network 130)**. Establishing a connection with a computer associated with a subscriber has the advantage of allowing a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone **(See column 3 lines 43-49 of Archer for reference to this advantage)**.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Archer, to combine establishing a connection with a computer associated with a subscriber, as suggested by Archer, with the communication method of Achuthan et al. and Jones, with the motivation being to allow a subscriber to be notified of an incoming call if they are on-line at a computer and not within range of a telephone.

Response to Arguments

10. Applicant's arguments filed 3/11/05 have been fully considered but they are not persuasive.

In response to Applicant's argument that:

> "Achuthan, then, wholly fails to disclose and/or suggest the claimed subject matter of a method for routing an incoming call from a calling part to (1) a telephone line of a subscriber that includes (2) associating a subscriber number of the subscriber with priority caller information (e.g. priority caller number and/or priority caller code)." (See page 16 of Applicant's Response section)

the Examiner respectfully disagrees. As shown in the rejection above, Achuthan et al. discloses routing an incoming call from a caller on network 108 to a telephone line of a user, which is a subscriber **(See page 2 paragraph 17 of Achuthan et al. for reference to routing a call through a telephone network 108 to a telephone line and a telephone set 104 of a user)**. Achuthan et al. also discloses associating a user ID, which is a subscriber number of the subscriber, with a source caller ID and a priority ID, which are priority caller information **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID 220 with a source caller ID 222 and with a priority ID field 224)**. Therefore, Achuthan et al. does disclose each of the claim elements of independent claims 11, 14, and 21.

In response to Applicant's argument that:

> "the combination of Harlow and/or Achuthan do not disclose nor do they suggest the claimed subject matter of a system that (1) associates the calling party information with a telephone line of a subscriber to categorized the incoming call as a priority call, (2) returns a default response if the calling party information is not categorized as a priority call, and (3) returns a priority response if the calling party information is categorized as a priority call." (See page 21 of Applicant's Response section)

the Examiner respectfully disagrees. As shown in the rejections above, Achuthan et al. discloses associating a source caller ID, which is calling party information, with a user ID, which is an ID of the telephone line of the subscriber, an with a priority ID, which categorizes the incoming call as a priority call **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID 220 with a source caller ID 222 and with a priority ID field 224)**. Achuthan et al. also discloses returning a default response if the calling party is not categorized as a priority call **(See page 3 paragraph 24 of Achuthan et al. for reference to using generic prompt, or default response, carrying no information other than that a communication is arriving, if the call is not identified as a priority call)**. Achuthan et al. further discloses returning a priority response if the calling party information is categorized as a priority call **(See page 2 paragraph 22 and Figure 4 of Achuthan et al. for reference to, if the priority**

information is found in table 210, generating a specific prompt, or priority response, that is specified by the table entry). Therefore, the combination of Harlow et al. and Achuthan et al. does disclose each of the claims elements of independent claim 1.

In response to Applicant's argument that:

> "the combination of Achuthan, Harlow, Jones, and/or Archer fails to disclose and/or suggest the claimed subject matter that includes (1) associating the calling party information with a telephone line of a subscriber to categorized the incoming call as a priority call, (2) generating an outgoing call to at least one other telephone associated with the subscriber, (3) generating an outgoing call to at least one wireless telephone via a wireless telephone network, the at least one wireless telephone associated with the subscriber." (See pages 27-28 of Applicant's Response section)

the Examiner respectfully disagrees. As shown in the rejections above, Achuthan et al. discloses associating a source caller ID, which is calling party information, with a user ID, which is an ID of the telephone line of the subscriber, an with a priority ID, which categorizes the incoming call as a priority call **(See page 2 paragraph 20 and Figure 3 of Achuthan et al. for reference to a memory 122 storing a data structure 210 having fields that associate a user, or subscriber, ID 220 with a source caller ID 222 and with a priority ID field 224)**. Also, as shown in the rejections above, Jones discloses both generating an outgoing call to at least one other telephone associated

with the subscriber, and generating an outgoing call to at least one wireless telephone associated with the subscriber via a wireless network **(See the abstract, column 4 lines 2-26, and column 5 lines 24-48 of Jones for reference to initiating calls to multiple telephones and for reference to using prerecorded caller identifications to assign callers a priority as to which of the multiple telephones, if any, that a call should be sent to, and for reference to calling numbers of cellular phones, which are wireless phones)**. Therefore, the combination of Achuthan et al., Harlow et al., Jones, and Archer as used in the rejections above, does disclose the disputed claim elements.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jem

ALPUS H. HSU
PRIMARY EXAMINER